

2 expense, the financial statement required by this Act shall be filed in  
3 the client's court file and shall be retained as a permanent part thereof.

1 SEC. 5. Any person that submits to a court or to a public defender  
2 a materially false financial statement, for the purpose of obtaining  
3 legal assistance at public expense, shall be guilty of a misdemeanor  
4 and shall be punished by a fine of not more than one hundred dollars  
5 or by imprisonment for not more than thirty days.

1 SEC. 6. If a court finds that a person desires legal assistance, and  
2 is financially able to secure counsel but refuses to employ an attorney,  
3 the court shall appoint an attorney to represent such person at public  
4 expense. The attorney fee paid by the state or county in such cases  
5 shall be taxed as part of the court costs against the person receiving  
6 the legal assistance, and the state or county shall be reimbursed for  
7 said fee when the court costs are paid.

1 SEC. 7. Section seven hundred seventy-five point six (775.6), Code  
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Any attorney appointed at public expense may receive, or contract  
4 to receive, a partial payment on behalf of the client he is appointed to  
5 represent. Such attorney shall fully disclose to the court, by affidavit,  
6 any sums he has received or contracted for, and any such sums shall  
7 be considered by the court in determining the portion of the attorney  
8 fee to be paid by the public."

Approved February 2, 1970.

## CHAPTER 1172

### COUNTY OFFICERS SALARIES

S. F. 1059

AN ACT to make the latest increase in compensation of certain county officers retroactive to July 1, 1969, independent of the valuation of moneys and credits assessed in the county, to reinstate additional compensation for certain county officers in counties having two places at which district court is held, and to legalize certain payments previously made.

WHEREAS, it is the purpose of this Act to correct legislative errors or oversights, nunc pro tunc, in order that the particular county officers affected hereby will be fully compensated for their past services as intended in the original enactments involved; and

WHEREAS, this is a public, rather than a private, purpose, is not an attempt to pay extra compensation, and will bring about better and more efficient service from these officers and will improve their personnel and morale; NOW THEREFORE,

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Notwithstanding the provisions of section three hun-  
2 dred forty point three (340.3) of the Code the increase in the compen-  
3 sation of the county auditor, county treasurer, county recorder, and  
4 clerk of the district court shall be computed and paid retroactively to

5 and from July 1, 1969 in accordance with the provisions of chapter  
6 two hundred seventeen (217), section four (4), Acts of the Sixty-third  
7 General Assembly, First Session, provided the valuation of moneys  
8 and credits assessed in the county shall be deducted from taxable  
9 valuation in making said computation. Section three hundred forty  
10 point four (340.4) of the Code shall also operate retroactively to said  
11 date.

1 SEC. 2. Chapter two hundred seventeen (217), section four (4),  
2 Acts of the Sixty-third General Assembly, First Session, is amended  
3 by striking the period following the words "taxable valuation" in the  
4 last line and inserting in lieu thereof the words "less the valuation  
5 of moneys and credits."

1 SEC. 3. Section three hundred forty point three (340.3), Code  
2 1966, is amended by striking the first sentence and inserting in lieu  
3 thereof the following:

4 "In December of each year, the board of supervisors shall, by reso-  
5 lution, compute the salaries of all county officers whose salaries are  
6 based on population or taxable valuation of the county, or both, for  
7 the ensuing year. The latest current report of the bureau of census,  
8 United States department of commerce and the valuation certified  
9 by the department of revenue shall be used. In any year in which the  
10 compensation is changed by a change in the law the said computation  
11 shall also be made in the month the law becomes effective for the sala-  
12 ries paid for the remainder of said year from the effective date of the  
13 new law."

1 SEC. 4. Section eleven point six (11.6), Code 1966, is amended by  
2 adding at the end thereof the following:

3 "The auditor of state shall, at the time of the audit of each county,  
4 inquire into the payment of salaries of county officers with special  
5 attention to uniformity of application of statutes. If he finds any  
6 irregularity he shall forthwith report the same to the county attorney  
7 and the attorney general of the state for appropriate action."

1 SEC. 5. Section three hundred forty point two (340.2), Code 1966,  
2 is amended as follows:

3 1. By striking from line eighteen (18) the word "shall" and insert-  
4 ing in lieu thereof the word "may".

5 2. By inserting in line nineteen (19) after the word "compensation"  
6 the words "for each county auditor, county treasurer, county re-  
7 corder, clerk of the district court, and county sheriff".

8 This amendment is retroactive to July 4, 1965, and salaries hereto-  
9 fore paid to any of these officers in accordance herewith are hereby  
10 legalized.

1 SEC. 6. In the event that any of said county officers or their  
2 deputies have heretofore been paid compensation in excess of that  
3 provided by law prior to the effective date of this Act, there shall be  
4 deducted from the retroactive and future compensation (1) the  
5 amount of any such overpayments and (2) an amount sufficient to  
6 insure that any county officer who may have received any such over-  
7 payments shall not have or have had any advantage in wages, taxes,  
8 or otherwise over those county officers who did not receive such over-

9 payments. There shall also be deducted from the retroactive and  
10 future compensation of any county officer or deputy that portion of  
11 compensation lawfully paid in 1970 based upon the valuation of  
12 moneys and credits.

1 SEC. 7. Section three hundred forty point nine (340.9), Code  
2 1966, as amended by chapter two hundred seventeen (217), section  
3 seven (7), Acts of the Sixty-third General Assembly, First Session,  
4 is further amended by striking from line thirty-nine (39) the word  
5 "shall" and inserting in lieu thereof the word "may".

1 SEC. 8. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication in  
3 the Adams County Free Press, a newspaper published at Corning,  
4 Iowa, and the Creston News-Advertiser, a newspaper published at  
5 Creston, Iowa.

Approved January 26, 1970.

I hereby certify that the foregoing Act, Senate File 1059, was published in the  
Adams County Free Press, Corning, Iowa, January 29, 1970, and in the Creston News-  
Advertiser, Creston, Iowa, January 28, 1970.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 1173

### COUNTY EXPENDITURES

S. F. 1016

AN ACT relating to obsolete provisions in the law relating to county expenditures.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three hundred forty-three point eleven  
2 (343.11), Code 1966, is amended by striking subsections six (6)  
3 through nine (9), inclusive.

Approved February 2, 1970.

## CHAPTER 1174

### DOG LICENSES AND IMMUNIZATION

H. F. 1216

AN ACT relating to the licensing of dogs and their immunization against rabies.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three hundred fifty-one point one (351.1), Code  
2 1966, is hereby amended by striking from line two (2) the word  
3 "three" and inserting in lieu thereof the word "six".